

MSLIN-98-003



May 10, 2000

GP 2815
Election
#6
5/25/00
Bellman

To: Commissioner of Patents and Trademarks

Washington, D.C. 20231

Attn: Art Unit 2815 - J. Clark

From: George O. Saile, Reg. No. 19,572

20 McIntosh Drive

Poughkeepsie, N. Y., 12603

Subject: | Serial No.: 09/249,252 02/12/99 |

M.S. Lin

STRAIN RELEASE CONTACT SYSTEM FOR
INTEGRATED CIRCUITS

| _ Art Group: 2815 J. Clark _ |

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Restriction or Election Requirement in the Office Action dated 04/25/00. In that Office Action, restriction was required to one of two stated

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on May 16, 2000.

Stephen B. Ackerman, Reg.# 37761

Signature/Date

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Inventions under 35 U.S.C. 121. The Inventions stated are Group I - Claims 1-11 to a process, classified in Class 438, subclass 618 and Group II - Claims 12-20 to a low stress contacting system for an IC, classified in Class 257, subclass 773.

Applicant provisionally elects to be examined the Invention described by the Examiner as Group I - Claims 1-11 drawn to a process classified in Class 438, subclass 618. This election is made with traverse of the requirement under 37 C.F.R.1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction given in the Office Action. The Examiner gives the reason for the distinctness of the two inventions as (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP 806.05(f)). However, upon reading the product Claims against the process Claims one can readily see that the product Claims are directed to "a low stress contacting system for an integrated circuit" and the process Claims are directed to "a process for forming a stress release contacting system in an integrated circuit", it is necessary to obtain claims in both the product and method claim language. The method Claims necessarily use the product and vice versa. The field of search must necessarily cover both the method

class/subclass 438/618 and products class 257/773 in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "the device of the group I invention could be made by processes materially different from those of the group II invention, for example, instead of placing a leveling plate on metal posts, filling all empty space with an elastomer beforehand would result in the same structure", is very speculative and really has nothing to do with the Claims as presented in this Patent Application. Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of a second Patent Application upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement and the Allowance of the present Patent Application is requested.

Sincerely,

A handwritten signature in dark ink, appearing to read 'SBA', is written over the typed name.

Stephen B. Ackerman, Reg.# 37761